

Nepal

Funding Period: June 2002 - September 2007

Amount: \$2,463,000

Purpose: Treat, rehabilitate, and protect torture survivors and their families.

Activity I: Rehabilitation of Torture Survivors and Capacity Building for Health Professionals

Implementing Partner: Centre for Victims of Torture (CVICT)

Funding Period: June 2002 – December 2004

Amount: \$668,825¹

Purpose: Provide comprehensive rehabilitation and care for torture survivors and their families and develop skilled human resources to support victims of torture and document cases of human rights violations.

Objectives:

- Expand medical, social, and psychological treatment and rehabilitation services at the Biratnagar Sub-Center to support an increased number of rural torture survivors and their families
- Conduct fact-finding missions to record human rights abuses
- Train district health professionals in the rehabilitation of torture survivors and proper documentation and reporting of torture cases
- Establish a shelter-based rehabilitation center for the comprehensive care of female trauma victims and their families

Accomplishments:

- Conducted 13 mobile clinics to reach torture survivors in remote areas and to increase community awareness on human rights
- Conducted seven fact-finding missions
- 240 female torture and trauma survivors received comprehensive shelter-based rehabilitation services
- 10 District Psychosocial Support Units were established in conflict-affected districts and counselors were trained
- More than 600 torture and trauma survivors received psychosocial care at District Psychosocial Support Units
- 47 court cases were filed under Nepal's Torture Compensation Act

¹ USAID/Nepal is programming an additional \$430,604 to meet needs of survivors.

Activity II: Treating Torture Survivors through Community-Based Strategies

Implementing Partners: Save the Children/US with Healthnet International/Transcultural Psychosocial Organization, ANTARANG Psychosocial and Research and Training Organization, and Law Associates/Nepal

Funding Period: October 2004 - September 2007

Amount: \$863,000

Purpose: Increase access to and quality of services at the community level.

Objectives:

- Improve access and quality of psychosocial services through intensive training of community counselors and community psychosocial workers
- Improve access and quality of legal, medical, education, and economic services
- Increase identification of victims needing services through the formation and strengthening of protection committees at the community level

Victims of Torture Component

Community-based psychosocial activities will be conducted in collaboration with the protection committees that SAVE and its local partners are establishing in order to identify victims of torture in need of support. This will ensure a strong linkage between community structures and Community Psychosocial Workers (CPSWs) and/or Community Counselors (CC) who will be the primary implementers of the psychosocial component. An intensive training program will be developed for counselors working with torture survivors. These counselors will provide local support to survivors at the district level. In cases with more serious need, counselors will refer survivors to CVICT's center in Nepalganj, which remains open.

In addition, medical professionals (a small group of doctors and (sub-)health post workers) will be provided special training in identifying and treating torture victims. A referral network will be established among sub-health post workers, doctors and torture counselors. Torture counselors, sub-health post workers and doctors will also be linked to a network of lawyers for legal support as necessary.

The legal aid component consists of counseling victims of torture; training lawyers on aspects of the Torture Compensation Act; filing cases for torture compensation; establishing networks; and advocating for necessary legal changes in Nepali laws concerning torture.

Activity III: Documenting Cases of Torture

Implementing Partner: United Nations Office of the High Commission for Human Rights (UNOHCHR) in Nepal

Funding Period: July 2005 - July 2007

Amount: \$500,000²

Purpose: To support international monitoring of human rights abuses throughout the country, document cases of torture, and identify strategies for protecting victims and prosecuting offenders.

Objectives:

- Establish accountability for serious and systematic human rights abuses with a view to preventing their reoccurrence through detailed and analytic public reports on human rights abuses
- Identify concrete follow-up actions with responsible authorities in order to increase protection of victims
- Work closely with national partners to promote respect for human rights and international humanitarian law and strengthen the rule of law in Nepal
- Provide advice and assistance to strengthen national capacity for the promotion and protection of human rights by partners in Government, including the National Human Rights Commission, and civil society
- Improve public awareness and response to torture and ensure a consistent and informed approach

Activity IV: Building the Capacity of Counselors to Work with Torture Survivors

Implementing Partner: Sahara Paramarsha Kendra

Funding Period: 18 months (pending award)

Amount: \$27,571

Purpose: To strengthen the capacity of Sahara Paramarsha Kendra (SPK) and selected community-based organizations (CBOs) and NGOs to provide psychosocial counseling services to survivors of torture and conflict.

Objectives:

² VTF funds support program costs for international human rights monitoring in field offices (which represents only a portion of a two-year, \$20.6 million, multi-donor initiative).

- Provide comprehensive psychosocial counseling services in the Kathmandu valley by establishing a psychosocial counseling and resource training center
- Train counselors from Kathmandu Valley CBO/NGOs
- Strengthen the capacity of CBO/NGOs outside Kathmandu to respond to needs of survivors
- Establish psychosocial support, referral, and counseling networks consisting of psychosocial counselors, community stakeholders, and concerned CBO/NGO organizations
- Establish a revolving fund to enable CBO/NGOs to provide sustainable psychosocial counseling services to survivors

Expected Impact/Results:

- Re-integrate up to 1000 survivors into their communities
- Establish a support network and sustainable funding to meet long-term needs of survivors and to encourage sustainability of services
- Increase community stakeholders' awareness of the psychosocial issues that confront survivors

The most pressing problem facing Nepal today is undoubtedly the profound impact of a rebel insurgency on its political and economic development and security. The Maoist insurgency, which began in 1996, found fertile ground largely in response to Nepal's poor governance, poverty, and exclusion. The initial pro-people approach, which won the Maoists converts among the disenfranchised of Nepal has been abandoned in favor of a campaign of violence, lawlessness, intimidation, and destruction. More than 10,000 people have been killed by the Maoists and security forces, with the bulk of these deaths—almost 9000—occurring since 2001. Nepal has attracted international attention by having the highest number of new cases of disappearance of any country in the world. While the Maoists have adopted terror as an instrument of policy, human rights abuses committed by both parties to the conflict are rampant. Incidents of kidnapping, torture, bombings, intimidation, killings, and conscription of children by the Maoists are common. Poorly trained police sometimes use excessive force in quelling violent demonstrations. In addition, there have been reports of torture under detention and widespread reports of custodial abuse. In addition to the devastating human toll, the continuing violence drains budget resources, restricts delivery of services and prospects for socioeconomic development and stifles economic growth.

Since the transition from absolute monarchy to multiparty democracy in the spring of 1990, Nepal has seen 15 governments. The country remains without locally elected officials and a Parliament. On February 1, 2005, the king dismissed the third Cabinet and assumed executive powers as "Chairman," appointing two Vice Chairmen and a council of ministers. The subsequent imposition of emergency rule and suspension of many rights—including freedom of expression, assembly, and privacy—represent serious setbacks for human rights in Nepal. The security forces have arrested many political leaders, student leaders, journalists, and human rights activists under the Public Security Act of 1989. The government deployed censors to newspapers and issued notices stating no media can publish news items against the spirit of the royal proclamation of February

1 or supporting “terrorist and destructive activities” for six months. In 2005, new patterns of human rights violations continued to emerge, including incitement to vigilante violence by high government officials. Once the initial vigilante violence subsides, Maoist retribution against civilians involved in the committees follows with regularity.

In 2000, the government established the National Human Rights Commission (NHRC), a government-appointed commission with a mandate to investigate human rights violations. However, by January 2005, the ability of the NHRC to monitor places of detention in accordance with the Human Rights Commission Act and the Government’s “commitment on the implementation of human rights and international humanitarian law” of 26 March 2004 was limited. Further complicating the situation was the May 2005 expiration of terms of the NHRC commissioners, and given the legal complexities and the political sensitivities surrounding the appointment of new commissioners under these conditions, it was unclear how the quality or independence of the commissioners would be ensured beyond the expiry of the current terms. It was also unclear how the credibility and impartiality of the Commission, which was already badly damaged by its ineffective response to the human rights abuses stemming from the state of emergency, would be restored.

As a result of deliberations regarding the human rights situation in Nepal at the 61st session of Commission on Human Rights in 2005, an Agreement was signed by the High Commissioner for Human Rights in Geneva on 8 April 2005 and by the Minister for Foreign Affairs in Kathmandu on 10 April 2005. Under that Agreement, OHCHR is establishing an office in Nepal to monitor the situation of human rights and observance of international humanitarian law, including investigation and verification through the deployment of international human rights officers throughout the country as required. The Agreement also includes provisions for technical assistance to national partners to promote respect for human rights.

The Victims of Torture Fund is supporting an integrated program to assist torture survivors through multiple partners that will increase the access and quality of service provision through center and community based approaches in areas of counselling, treatment, legal assistance and documentation of abuses. The capacity of professionals to identify, refer and provide treatment will be increased. Through the UNOHCHR, the Fund is working with other donors to strengthen protection options for survivors through improved reporting on human rights abuses.